

Wednesday, August 21, 2002  
825 Sherman Ave.  
Ackley, IA 50601

Comment on RM-10521

Proposal to allow use of European PMS-446 unlicensed radios in the United States by foreign nationals.

I am opposed to this petition.

Dr. Trahos' petition states that he has visited the UK and observed U.S. citizens illegally using their U.S. FRS radios. He also states that on a visit to Walt Disney World in the U.S., he observed operation of UK PMS-446 radios. I find it interesting that Dr. Trahos has used Disney World as an example as my best understanding is that the Disney corporation maintains a general ban on scanners and two way radios within their theme parks. If this is true and even if such a ban excludes FRS type radios, this commenter is left wondering what type of "illegal" radio Dr. Trahos used to make his observations.

Dr. Trahos attributes the illegal operation he observed to a lack of understanding by the public as to where these radios can be operated. I certainly understand that the average FRS user is not aware of differing frequency allocations around the world. This indicates to me that perhaps the radios' manuals should include a statement that these radios are for use within the United States only.

I find the most shocking point of Dr. Trahos argument to be the one where he states that this operation should be permitted because prohibiting it is unenforceable. I am not a lawyer, but I know that the law is based in large part on precedent. I happen to be a large fan of micropower broadcasting on the FM band (note I said fan not participant). This is certainly something the FCC frowns on and is trying very hard to stop. As much as adopting this proposal has the potential to disrupt Amateur Radio communications, I personally see that as nothing compared with what it has the potential to do to the commission's ability to regulate our airwaves. If the FCC adopts a proposal and grants privileges based in part on an inability to otherwise regulate a situation, this will certainly be an important precedent indeed.

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